

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

IN RE: NATIONAL PRESCRIPTION)
OPIATE LITIGATION) CASE NO. 1:17-MD-2804
)
) JUDGE DAN A. POLSTER
)
This document relates to:)
)
City of Jacksonville v. Purdue Pharma L.P.,)
et al., Case No. 18-op-46120)
)

NOTICE OF APPEAL

Notice is hereby given that Plaintiff, the City of Jacksonville, whose initially-filed state court action (“State Action”) was transferred, after removal, to the National Prescription Opiate Litigation Multi-District Litigation (“MDL”) on October 3, 2018 (Transfer Order, ECF No. 1018), hereby appeals to the United States Court of Appeals for the Sixth Circuit from this Court’s February 16, 2018 ORDER REGARDING REMANDS (ECF No. 130) (the “February 2018 Moratorium”). The February 2018 Moratorium, which continues indefinitely this Court’s moratorium on filing and/or deciding all remand motions, set forth in earlier orders, dated January 11, 2018 (Min. Initial Pretrial Conf., ECF No. 70) and Dec. 14, 2017 (Min Teleconf. & Sched. Order, ECF No. 4), effectively serves as “an injunction to stay proceedings in a State court” in violation of 28 U.S.C. §2283. This Notice of Appeal is being filed pursuant to 28 U.S.C. §1292(a)(1) and Fed. R. App. P. 4(a)(1)(A) in a timely manner within 30 days of the

October 3, 2018 transfer of Plaintiff's State Action to the MDL, wherein the Plaintiff became bound by the February 2018 Moratorium.

DATED: October 25, 2018

Respectfully submitted,

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